



U.S. Department of Justice

*United States Attorney
District of Massachusetts*

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July 8, 2005

By First Class Mail

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Re: United States v. Douglas Bannerman et al.
Criminal No. 03-10370-DPW

Dear Counsel:

I write with respect to the September 12 trial in the above-captioned case. As you are aware, we have suppression hearings scheduled for July 26-28, and Judge Woodlock has indicated that, on that date, he is likely to impose accelerated disclosure deadlines for some pretrial materials. Accordingly, as of the end of the suppression hearings, my trial preparations will begin

in earnest. By this I mean that my time, and the time of my co-counsel for trial, as well as DEA resources, will be dedicated almost entirely to preparing to try the case. In addition to diverting these prosecutorial resources from other cases, the government will incur the expense of bringing out-of-state witnesses (including the chemists and out-of-state law enforcement officers) to Massachusetts to prepare for trial, and will disrupt those individuals' schedules.

Accordingly, **unless you indicate to the Court, in writing, by 5:00 p.m. on Friday, July 29, that your client will tender a guilty plea, I will oppose a three-level reduction for acceptance of responsibility.** If you are interested in reviewing, again, the government's calculation of the marijuana weight believed attributable to your client, the basis for that calculation, and/or the likely resulting guideline sentencing range, please contact me.

Very truly yours,

MICHAEL J. SULLIVAN
United States Attorney

By:



Rachel E. Hershfang
Assistant U.S. Attorney

cc: Ms. Michelle Rynne
Clerk to the Hon. Douglas P. Woodlock